

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Carlton J. Edwards, individually and on  
behalf of all other similarly situated  
individuals,

Case No. 10-CV-02826 (MJD/JJK)

Plaintiff,

**DEFENDANT'S MOTION FOR  
SANCTIONS AND TO COMPEL**

v.

Multiband Corporation,

Defendant.

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**PLEASE TAKE NOTICE** that on Tuesday, November 22, 2011 at 9:30 a.m., Defendant Multiband Corporation, will appear before the Honorable Jeffrey J. Keyes, United States Courthouse, 316 North Robert Street, Courtroom 6A, St. Paul, Minnesota, and move the Court, pursuant to Federal Rules of Civil Procedure 37(a) and 37(b), to compel discovery of certain documents that Plaintiffs have (1) testified in their depositions are in their possession, custody, or control, but have not been produced to Defendant; and/or (2) affirmatively stated responsive documents are in their "possession" in their answers to Defendant's discovery requests, but have not been produced.

In addition, Defendant seeks sanctions for certain Plaintiffs' failure to comply with the Court's August 25, 2011 Order directing Plaintiffs to produce required tax return discovery by September 20, 2011. The parties have conferred with one another in good faith about the discovery deficiencies in an attempt to resolve the issues, but were unsuccessful.

The Motion is based upon the pleadings, records, affidavits, declarations, exhibits, and memorandum of law to be filed with the Court in support of Defendant's Motion, and to be served in conformance with the time limitations set forth in the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the District of Minnesota.

Dated: October 14, 2011.

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